



January 30, 2009

HOUSE BILL No. 1033

DIGEST OF HB 1033 (Updated January 27, 2009 11:14 am - DI 77)

Citations Affected: IC 8-1; IC 15-11.

Synopsis: Livestock waste treatment systems. Requires the utility forecasting group to consider the statewide evaluation of livestock waste anaerobic digestion, gasification, and algae production systems that is conducted by the department of agriculture (department) in formulating suggestions to the regulatory flexibility committee concerning the development and use of renewable energy resources in Indiana. Requires the department to explore the use of livestock waste treatment systems to minimize air emissions, ensure water quality standards are met, and generate renewable energy as an economic development tool. Requires the department to conduct a statewide evaluation the potential energy generation of certain systems using the protocol developed by the United States Environmental Protection Agency AgSTAR Program.

Effective: July 1, 2009.

Grubb, Koch, Davis, Knollman

January 7, 2009, read first time and referred to Committee on Agriculture and Rural Development.
January 29, 2009, amended, reported — Do Pass.

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HB 1033—LS 6234/DI 103+



January 30, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1033

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-1-8.8-14 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14. The group shall
3 conduct an annual study on the use, availability, and economics of
4 using renewable energy resources in Indiana. Each year, the group shall
5 submit a report on the study to the commission for inclusion in the
6 commission's annual report to the regulatory flexibility committee
7 described in IC 8-1-2.5-9 and IC 8-1-2.6-4. The report must include
8 suggestions from the group to encourage the development and use of
9 renewable energy resources and technologies appropriate for use in
10 Indiana. **In formulating the suggestions, the group shall consider**
11 **the statewide evaluation of livestock waste anaerobic digestion**
12 **systems conducted by the department of agriculture under**
13 **IC 15-11-2-3(6) and gasification and algae production systems for**
14 **the conversion of livestock waste to renewable energy.**
15 SECTION 2. IC 15-11-2-3, AS ADDED BY P.L.120-2008,
16 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2009]: Sec. 3. The department shall do the following:

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- (1) Provide administrative and staff support for the following:
 - (A) The state fair board for purposes of carrying out the director's duties under IC 15-13-5.
 - (B) The Indiana corn marketing council for purposes of administering the duties of the director under IC 15-15-12.
 - (C) The Indiana organic peer review panel under IC 15-15-8.
 - (D) The Indiana dairy industry development board for purposes of administering the duties of the director under IC 15-18-5.
 - (E) The Indiana land resources council under IC 15-12-5.
 - (F) The Indiana grain buyers and warehouse licensing agency under IC 26-3-7.
 - (G) The Indiana grain indemnity corporation under IC 26-4-3.
 - (H) The division.
 - (I) The E85 fueling station grant program under IC 15-11-11.
- (2) Administer the election of state fair board members under IC 15-13-5.
- (3) Administer state programs and laws promoting agricultural trade.
- (4) Administer state livestock or agriculture marketing grant programs.
- (5) Administer economic development efforts for agriculture by doing the following:
 - (A) Promoting value added agricultural resources.
 - (B) Marketing Indiana agriculture to businesses internationally.
 - (C) Assisting Indiana agricultural businesses with developing partnerships with the Indiana economic development corporation.
 - (D) Soliciting private funding for selective economic development and trade initiatives.
 - (E) Providing for the orderly economic development and growth of Indiana's agricultural economy.
 - (F) Exploring the use of livestock waste treatment systems to:**
 - (i) minimize air emissions of livestock waste;**
 - (ii) ensure that water quality standards are met; and**
 - (iii) generate renewable energy.**
- (6) Conduct a statewide evaluation of the potential for energy generation from the installation and use of anaerobic digestion systems, gasification systems, and algae production systems at concentrated animal feeding operations (as set**

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1 forth in 40 CFR 122.23), confined feeding operations (as
2 defined by IC 13-11-2-40), and wastewater treatment plants
3 (as defined by IC 13-11-2-258) using the protocol developed
4 by the United States Environmental Protection Agency
5 AgSTAR Program.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1033, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 13, after "IC 15-11-2-3(6)" insert "**and gasification and algae production systems for the conversion of livestock waste to renewable energy**".

Page 2, line 33, delete "anaerobic digestion" insert "**treatment systems to:**

- (i) **minimize air emissions of livestock waste;**
- (ii) **ensure that water quality standards are met; and**
- (iii) **generate renewable energy."**

Page 2, delete line 34.

Page 2, line 35, delete "livestock waste" and insert "**the potential for energy generation from the installation and use of**".

Page 2, line 36, after "systems" insert "**, gasification systems, and algae production systems at concentrated animal feeding operations (as set forth in 40 CFR 122.23), confined feeding operations (as defined by IC 13-11-2-40), and wastewater treatment plants (as defined by IC 13-11-2-258)**".

and when so amended that said bill do pass.

(Reference is to HB 1033 as introduced.)

PFLUM, Chair

Committee Vote: yeas 12, nays 0.

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